

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

MCALLEN DIVISION

JUL 23 2016

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

Jose Raul Aldape-Hernandez PRINCIPAL

YOB: 1984

United Mexican States

Case Number:

M-16- 1391 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 6/21/16 in Starr County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Yahir Bonifas-Grajales and Edmundo Rivera-Carranza, both citizens and nationals of the United Mexican States, along with nine (9) other undocumented aliens, for a total of eleven (11), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 21, 2016, at approximately 4:20 p.m., Border Patrol Agent (BPA) Springer and BPA Dimas responded to assist the Roma Police Department. Agents made contact with Officer Morales. Officer Morales told Agents he observed a blue Ford Expedition on Fresno Street, as it approached the intersection to US Highway 83, the vehicle failed to stop at its designated point. Officer Morales activated his emergency lights and observed the expedition driving erratically and then turn on Portaleza Street where the vehicle came to a stop. Officer Morales made contact with the driver, later identified as Jose Raul Aldape-Hernandez, and noticed one female in the front passenger seat and one more in the rear passenger seat and 7 male subjects laying in the back cargo area with two minor children.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Jon M. Chan

Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

July 23, 2016

Date

McAllen, Texas

City and State

Peter E. Ormsby

U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-16- 1391 -M**

**RE: Jose Raul Aldape-Hernandez**

**CONTINUATION:**

Agent Springer conducted an immigration inspection on the driver and passengers of the vehicle. They all stated that they were citizens of Mexico, illegally present in the United States. The undocumented aliens were arrested and read their Miranda Rights.

**Principal Statement**

Jose Raul ALDAPE-Hernandez was read his Miranda Rights. He understood his rights and declined to provide a sworn statement.

**Material Witnesses**

Yahir Bonifas-Grajales and Edmundo Rivera-Carranza were read their Miranda Rights. They understood their rights and provided a sworn statement without the presence of an attorney.

Yahir Bonifas-Grajales, a citizen of Mexico, claims he made all his smuggling arrangements but did not provide the smugglers identity. He was charged \$7,000 USD and has paid \$2,000 USD. He and 9 other people crossed the Rio Grande River into the United States using a raft. A foot Guide told them to run for about 150 yards away from the river and a vehicle was going to be waiting for them. The Guide told them to get into the first vehicle they saw. The first vehicle he saw was a blue Expedition and everyone boarded the truck. While boarding, he didn't hear the driver say anything. He described the driver having light gray hair. Bonifas-Grajales identified Jose Raul Aldape-Hernandez as the driver of the vehicle through a photo lineup.

Edmundo Rivera-Carranza, a citizen of Mexico, stated he made his smuggling arrangements. He was charged \$3,000 USD. He and six people crossed with the Rio Grande River into the United States with the help of two foot guides. The guide told them to walk away from the river and a vehicle would be waiting for them. He was not told what kind of vehicle would be waiting, but he was told to board into the first vehicle he saw. He and the others boarded an enclosed, blue colored, four door truck. The driver was wearing a red shirt and had grey hair. While boarding,

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**CONTINUATION:**

drove for about three minute then got pulled over by the Police Department.  
Rivera-Carranza identified Jose Raul Aldape-Hernandez as the driver of the vehicle  
through a photo lineup.